

2008 Dec-02 AM 10:43
U.S. DISTRICT COURT
N.D. OF ALABAMAIN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMADavid Dwight Smith

DEC -1 PM 3:47

U.S. DISTRICT COURT
N.D. OF ALABAMAInmate Identification Number: 832(Enter above the full name(s) of the plaintiff(s)
in this action)

vs.

Walk Co Sheriff Dept.Sheriff, John Mark TileyJail Administrator Trent McCluskey(Enter above full name(s) of the defendant(s)
in this action)

CV-08-JEO-2238-J

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment?
Yes () No (X)

- B. If your answer to (A) is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

NOTICE TO PLAINTIFF

If it is your responsibility to
notify the court of any change
of any address, please
notify the court immediately.
Failure to do so may result in
dismissal of your case.
Sincerely,
U.S. District Court
Northern District of Alabama

2. Court (if Federal Court, name the district; if State Court, name the county) _____
3. Docket number _____
4. Name of judge to whom case was assigned _____
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____
6. Approximate date of filing lawsuit _____
7. Approximate date of disposition _____

II. Place of present confinement Walker County Jail

A. Is there a prisoner grievance procedure in this institution?

Yes (☒) No (☐)

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes (☒) No (☐)

C. If your answer is YES:

1. What steps did you take? I wrote a request to

the Sheriff John Mark Firey

2. What was the result? I never heard anything back
on the grievance.

D. If your answer is NO, explain why not? _____

I. Parties

In item (A) below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of plaintiff(s) David Dwight Smith

Address 2001 2nd AVE N
Jasper AL 35501

In item (B) below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item (C) for the names, positions, and places of employment of any additional defendants.

B. Defendant John Mark Tirey
is employed as Sheriff
at Walker County Sheriff Dept

C. Additional Defendants Trent McCluskey
Jail Administrator
Walker County Jail

V. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

Nov 24th 2007 I came to Walker Co Jail
there was no lights in any of the cells in the
whole jail. I said something to Lt. Tommy
Miller with was a Col at the time

He said ~~to~~ the Sheriff John Mark Terry
 said he wouldn't fix the lights Because
 the inmates are tearing them up.
 The light hasn't worked for over two years
 that I know of.

RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

To make them fix the lights & Plumbing Toilets
 & ~~toilets~~ sinks

To make them pay for the lost of eye sight.

To make them pay for risking my health by
 putting me in a cell with Herman west in
 the toilet to make them pay for violating my Civil Rights.

"I declare under penalty of perjury that the foregoing is true and correct.

Executed on 11-24-08.

David Dwight Smith

Signature(s)

V. Statement of Claim:

Nov 7th 2008 Jail Administrator Trent McCluskey Ordered Officer CO1 Charles Hanna to put me in cell M005. Officer Charles Hanna knew as well as Trent McCluskey knew the plumbing didn't work. I showed officers Charles Hanna & Officer ~~William~~ Ray they were human waste in the toilet. Both CO's said they notified Trent McCluskey the condition of the cell & he Ordered me to stay there. I stayed over night in these conditions. The lights didn't work in that cell as well.